

Friday, December 25, 2015

**EXTENSION TO THE
COMPLAINT AND REPORT TO THE
Appropriations, Justice and Public Safety
(House Standing Committee) and the Joint
Legislative Oversight Committee on Justice
and Public Safety on Evidence tampering
and/or mishandling of Evidence
-REQUEST FOR INQUIRY/INQUIRE HEARING-**

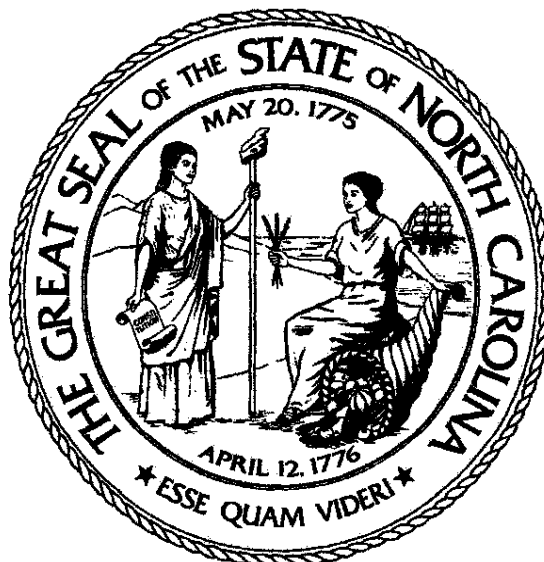
Extension to the Independent Report and Complaint organized and drafted by Brian David Hill.

Disclaimer: The State Seal is unofficially used in this COMPLAINT and REPORT only to report issues dealing with a State Agency to the Committees members. This report is made Independently for the Committees. The drafter of this Report and Complaint is not affiliated with the State of North Carolina. This report is independent and is not affiliated with any law enforcement.

EXTENSION TO THE COMPLAINT AND REPORT BY:

BRIAN DAVID HILL

IN HIS INDIVIDUAL CAPICITY AND AS A NATURAL BORN CITIZEN



Extension to the Complaint is filed as follows against the State Bureau of Investigation under the Department of Public Safety, under the oversight of the Joint Legislative Oversight Committee on Justice and Public Safety.

Date: Friday, December 25, 2015

This Extension of report and Complaint is respectfully submitted via facsimile (FAX) or Mailing via United States Postal Service (USPS) to the Legislative Office Building Mail Room or Legislative Building Mail Room requesting that the Honorable Co-Chair Senator E. S. (Buck) Newton produce copies (duplicates) of this document and all attached documents within the envelope addressed to his Office be made available to all of the other Co-Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety and/or members of that committee:

Joint Legislative Oversight Committee on Justice and Public Safety

Non-Standing Committee

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Rep. Pat B. Hurley (Co-Chair)

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House Appointment

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Sen. Shirley B. Randleman

Sen. Dan Soucek

Sen. Mike Woodard

Senate Appointment

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House Appointment

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Rep. Jonathan C. Jordan

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Rep. Michael Speciale
Rep. Lee Zachary

House Appointment
House Appointment

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Basis and Argument for this COMPLAINT and report:

I, Brian David Hill, formerly a citizen of North Carolina that had lived at 413 N. 2nd ave., Mayodan, NC 27027, now a citizen of Virginia, am filing this Petition with both Committees (named above in Page 1) for the purpose of filing a COMPLAINT and report to both Committees over Justice and Public Safety. This Petition is being filed under the authority of both Article 1, Sec. 12 of the North Carolina Constitution (**See Endnote 1 from Original Petition**) and the United States Constitution, Bill of Rights, Amendment 1 (**See Endnote 2 from Original Petition**). Since this matter is directly involving a matter of the State Bureau of Investigation, this COMPLAINT is valid even though now I am a citizen of Virginia. I used to live at 413 N. 2nd ave., Mayodan, N.C. 27027, at the time a state investigation was being conducted by the Mayodan Police Department. Therefore the state does have jurisdiction over this very issue as it affects a state law enforcement agency matter.

This Petition Extension is only to the Joint Legislative Oversight Committee on Justice and Public Safety, because it is more appropriate for the Oversight Committee, it is as follows:

(1)Whereas, Both Committees have authority to deal with state law matters regarding the N.C. Department of Public Safety which is the umbrella agency for the N.C. State Bureau of Investigation. All issues dealing with the NC SBI are handled under the Department of Public Safety which is under oversight by the Joint Legislative Oversight Committee on Justice and Public Safety.

(2)Whereas, This COMPLAINT and REPORT is directed to the Joint Legislative Oversight Committee for the purpose of a speedy resolution to a ongoing issue to which affects Constitutional Due Process rights, crime lab policies and forensic investigation matters, possible signs of misconduct or mishandling of forensic evidence during the investigation phase, and other possible legal issues to which the Oversight Committee should take with severe urgency.

(3)Whereas, The Petitioner, Brian David Hill files additional evidence and FACTS that have been discovered or realized, and a REQUEST for INQUIRY. Brian requests that

the Co-Chairs subpoena SBI Agent Rodney V. White (at the subpoena power and/or jurisprudence of this Committee if such jurisdiction of subpoena power scope applies) and Legal Counsel for the State Crime Laboratory J. Joy Strickland, as I assume that the State Crime Laboratory staff also applies under the scope of subpoena power and jurisprudence.

The Research Division and the Chair-people of the Committee need to investigate this matter to resolve the issues. The fact that even I can gather enough evidence to provide facts to the Committee shows Probable Cause as to why they need to INQUIRE on Agent Rodney White to explain the wrongdoings I am accusing him of, of misconduct by playing dirty and bending the rules to fulfill his own forensic analysis for the Prosecution, to paint Brian David Hill as a guilty man while systematically denying him all avenues of Due Process guaranteed by state and Federal laws and the Constitutions.

Evidence to prove the Factual Basis for this Extension will be provided in the envelope.
The Factual Basis for the Extension of the Petition filed originally is as follows:

**Therefore the Factual Basis of this Petition
and Report are as follows per this complaint:**

- I am Brian David Hill. I used to live at 413 N. 2nd ave. in Mayodan, N.C., before August 29, 2012 where I had falsely confessed at the Mayodan Police Department to the allegations due to a executed Search Warrant signed by Superior Court Judicial Officer Todd Burke of Winston Salem. After the false confession, I had moved to the Commonwealth of Virginia while my mother had provided the police detectives my new address of residence.
- New 5-Page Affidavit (with original signature on notarized document in envelope, since it is the State's Copy) attached to this Extension reveals that Special Agent Rodney V. White of the SBI Office in Greensboro, NC, had to sign a **"CERTIFICATE OF DELIVERY"** for the SBI Case File to which he had produced the original for **Assistant U.S. Attorney Anand Prakash Ramswamy** and assuming a copy sent to the **District Attorney of Rockingham County**. Copies were left with the Case Records Management System, **SAC L. D. Shank** and Case Agent. He also had to have acknowledged when signing this paper that *"In the event additional work is done by the undersigned or other SBI personnel related to the investigation reported in the above referenced SBI Case File Number*

and/or the subject/suspect listed above or other material related to the case is discovered, the undersigned understands he or she has a continuing duty to turn over such material to the appropriate prosecutorial agency in a timely manner." Subject/Suspect was Brian David Hill and the SBI Case File # is 2012-02146. He is aware that any communication that he has had with the Suspect or if the Suspect gives any documents and/or statements that is exculpatory evidence necessary for the criminal investigation of such Suspect, then all of that information must be turned over to the prosecuting Attorney to which he has signed over a Certificate of Delivery which is U.S. Attorney Ripley Rand and Assistant U.S. Attorney A. P. Ramaswamy.

- Four Emails were sent to North Carolina Department of Justice employee J. Joy Strickland, whom was the Law Enforcement Liaison Section of the Attorney General's Office. It was sent from admin@uswgo.com and sent TO: Strickland, Joy <JStrickland@ncdoj.gov> email account. I had also asked her to store those emails, for evidential purposes. I had asked her to forward at least two or three of them to SBI Agent Rodney V. White. Since the other email was an addendum, I assumed she had forwarded that too. The emails were sent as follows:

- (1) "Subject: Re: email inquiry," and Date: 12/5/2013 5:34 PM,
- (2) "Subject: addendum to last email," and Date: 12/5/2013 10:58 PM
- (3) "Subject: Grateful for the Mayodan PD backing off and returning most of my stuff," and Date: 12/10/2013 7:14PM
- (4) "Subject: Mayodan police lied to me," and Date: 12/12/2013 1:45 AM

- (cont.) Those emails prove that I was sending exculpatory email attachments to SBI Agent Rodney V. White concerning the criminal investigation file on me. Even though at the time(2013) I was not aware of Agent White's findings nor did I know the case #, I did sent it to the right Agent with information relevant to his investigation case file, after I became aware of an open case investigation file on me at around December 3, 2013. Two days later I had evidence email attachments forwarded to Agent White concerning his criminal investigation of the suspect which is myself.
- On December 23, 2015, SBI Agent Rodney V. White posed as a U.S. Marshal and didn't inform me at Forsyth County Detention Center that he wasn't a U.S. Marshal. I was talking with him in the white SUV. He arrived at the L. Richardson Preyer Federal Building located at 324 West Market Street in Greensboro, NC 27401. At the guard gate they asked for

identification as the guard is likely working as Security under the U.S. Marshals Service. He then flashed his badge and said "Agent White" or "Agent Rodney White" but I knew who he was when he flashed his badge and said his last name. He then told me that he did receive my emails but never disclosed to me if he received all four of them. The basis for this is within my 5-Page Affidavit regarding SBI Agent White. Any additional statements needed under Oath or Affirmation I am willing to give to the Committee without any subpoena, unless my Probation Officer blocks me from requesting to Travel to the Committee hearing. In that event I request that I be subpoenaed or that the Committee contacts my Probation Officer to kindly ask him to let me travel down to Committee since it is OFFICIAL GOVERNMENT BUSINESS in the event Committee decides to hold a hearing on the matter. He also failed to appear in any Court room for any hearing I ever had regarding the evidence including the Suppression Hearing. Agent White's evidence was used against me yet he did not want to enter the courtroom for any reason even though he was traveling with me from Forsyth County Detention Center to the Federal Building where he identified himself so there should be a record or log of his access to the U.S. Marshals Office or even the secured areas of the Federal Building.

- On January 22, 2015, and even after that day, I had discovered evidence in the Evidence packet from the Motion for Discovery. I never got to see all of the Discovery packet of evidence so I made assumptions I couldn't prove and was kept in the dark until after that day in January. I was at Attorney John Scott Coalter's Office located at Coalter Law, P.L.L.C, 910 N. Elm St., Greensboro, N.C. 27401. I discovered the Joy Strickland emails were nowhere to be found, there was no virus log, and there was no new evidence that was supposed to be investigated and discovered. Even if Agent White decided not to investigate further which is odd, he should have at least notified the U.S. Attorney Office of the Suspect's communication with him before the Suspect was arrested. Then the Defense Attorney should have received the Joy Strickland emails in the discovery packet. Because they were not included the Defense Attorney ignored the Joy Strickland emails and acted as though they couldn't be introduced as evidence into court even though it contained exculpatory and relevant evidence to Agent White's forensic analysis report and the whole criminal investigation case file as a whole. All of the Joy Strickland email claims and evidence email attachments were omitted from evidence in the Federal case. I even attempted to send letters to the Court and even Federal Judge Catherine Eagles while I was at FCI-1 Butner, NC, during my evaluation.

One of those letters I had asked for the FBI and even the Prosecutor to look into the Joy Strickland emails but it was as if nobody took me seriously. Nobody wanted me to believe me that I would send such emails and nobody wanted to investigate this, as if I am lying or looked at as delusional. It was because my emails directed to Agent White, that he admitted to receiving on Dec. 23, 2013, was never filed in the District Court, it was never added to the discovery evidence by the Prosecuting Attorney. After my mental evaluation at Butner, when they finally decided I wasn't crazy and was competent to stand trial, I was hardly given any time to investigate what happened to the Joy Strickland emails and was heading for a fast and speedy trial without any evidence for my Defense. I was destined by Agent White to lose my Jury Trial, without any right to challenge any evidence that was held against me at all. Agent White caused me the loss of my right to file an objection to Rodney White's forensic report. I was kept in the dark and was given no right to even see the evidence being used against me at a Jury Trial. They cannot use the Adam Walsh Act restrictions as an excuse to deny me the right to look at the SBI case file as there were no child porn pictures, not even thumbnails in his report, and Adam Walsh Act (AWA) only prohibits access to child porn. AWA does not prohibit reading the investigation case file in the Discovery evidence when it is being used against me in a public Jury Trial.

I have given you clear and convincing FACTS and will attach evidence, that proves that SBI Special Agent Rodney V. White, was using the Federal Court system as a vehicle to obstruct and deny me all state rights in North Carolina then deny me all Federal and State Due Process rights. I cannot use any state law that would protect me from evidence manufacturing, evidence tampering, procedural defect, procedural violations, procedural conspiracy, conspiracy, and any other acts that Agent White may have committed using the Federal Court as a shield to protect possibly inadmissible evidence, that may have been blocked in Superior Court. What could have been Suppressed in a North Carolina Judicial proceeding was allowed in Federal Court. Agent White is using the Feds as a vehicle to take away my rights to prove that I was framed with child pornography for making the Chief of Police angry in Mayodan Police Department. It is known that corrupt Police Departments will ignore procedures or follow different procedures to ensure a wrongful criminal conviction against their political enemies. Mayodan Police considered me a political threat to their Police Chief, which is usually the highest Law Enforcement position in a Police Department. When a Police Chief is out for blood or hates a suspect, it can lead to dirty investigations which usually cause procedures defects or violations. I believe Agent White did procedural defects to be in favor of the District Attorney and U.S. Attorney, in making me look guilty enough to lose a Jury Trial

without a highly paid and skilled Defense Lawyer that can defend suspects in child pornography cases. Those that cannot afford Justice won't get Justice.

The question is whether proper procedure was even followed regarding the forensic examination of my seized property in accordance of criminal case SBI investigation # 2012-02146 (915). This is also in reference to the seizure of my property under OCA / Case # 2012-00287. **The second question is whether he procedurally violated his Duty and did not follow the SBI standards by omitting evidence that would be in favor of the Defense. Either the U.S. Attorney omitted the Joy Strickland emails from the Discovery evidence or Agent white omitted the Joy Strickland emails from the U.S. Attorney Office.**

The factual basis is mainly stuff that can be proven by documentation and records, and the Affidavit by me, Brian David Hill, proves to Committee the FACTS that I know is true and that I am aware of. The Committee has a good cause and justifiable reason to hold a Inquiry Hearing to Inquire on SBI Agent White, and if SBI SAC Agent L. D. Shank was aware of any of this. Joy Strickland should be inquired on if she had successfully sent those emails to Agent Rodney White, and if Agent White had mentioned to her about anything in response to my emails forwarded to him through her.

Whereas, for the FACTUAL BASIS stated in this REPORT and COMPLAINT, it is recommended that the Joint Legislative Oversight Committee on Justice and Public Safety, INQUIRE on this Petition to hold the State Bureau of Investigation and Special Agent White accountable for misconduct, weaseling around state law by using the Feds as a vehicle, and Due Process violations to which may harm my ability to prove my Actual Innocence.

Therefore I file this Extension to the COMPLAINT Petition asking the Oversight Committee to investigate, inquire on my findings of FACT, and hold a hearing over the issues I have raised on this matter. I also ask that they hold Agent White accountable and investigate the facts raised in Agent White's report. This is a serious concern I have that needs to be addressed as soon as the Committee has the time and manpower to fully investigate and research this matter. Thank You!

I sign my Name on this Petition, Brian David Hill, as the Petitioner, I sign and execute this Petition for submission to the Committee for it's Attention and Inquiry:

Brian D. Hill - Petitioner Dec. 26, 2015
Signed

*Original
Photocopy made and
kept by Petitioner*